

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NO. 2021-153-S ORDER NO. 2021-113-H

AUGUST 31, 2021

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Application of Palmetto Wastewater Reclamation, Inc. for Adjustment of Rates and Charges (Increase) and Terms and Conditions of Sewer Service

MATTER UNDER CONSIDERATION:

Petition to Intervene of the South Carolina Department of Consumer Affairs

CHIEF HEARING OFFICER'S ACTION:

This matter comes before the Chief Hearing Officer on the Petition to Intervene of Carri Grube Lybarker, Administrator and Consumer Advocate ("Consumer Advocate" or "Petitioner") for the South Carolina Department of Consumer Affairs ("the Department"). No objections to the Petition to Intervene have been filed.

Under Commission regulation, the Commission must determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the SC Public Service Commission must set forth clearly and concisely:

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

Pursuant to S.C. Code Ann. § 37-6-604 (2018), the Department states that it may provide legal representation of the consumer interest before state and federal regulatory agencies when such agencies undertake to fix rates or prices for consumer products or services and may intervene as a party to advocate for the interest of consumers before the South Carolina Public Service Commission. In that capacity the Department petitions to intervene as a formal party of record in Docket No. 2021-153-S. The Department asserts that it works to avoid excessive, inadequate, and unwarranted rate increases; however, a position has not yet been fully developed on this matter. Petitioner reserves her right to set forth her position more fully as necessary and appropriate as this proceeding moves forward.

Pursuant to these facts, this Hearing Officer holds that Carri Grube Lybarker, Administrator and Consumer Advocate for the South Carolina Department of Consumer Affairs has successfully satisfied the criteria for intervention stated in the Commission Regulation. The Department's interest in this matter can clearly be discerned, as can the grounds for the intervention. The Consumer Advocate has not determined what position she will take, but at this early stage of the proceedings, no party would be prejudiced.

As previously noted, there are no objections to the intervention. Accordingly, the Petition to Intervene of Carri Grube Lybarker, Administrator and Consumer Advocate for the South Carolina Department of Consumer Affairs is granted. This ends the Chief Hearing Officer's Directive.